UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

DISPATCH TRANSPORTATION

and

Cases 20-CA-080597 20-CA-082281

TEAMSTERS LOCAL 137

ORDER¹

The Employer's petitions to revoke subpoenas ad testificandum A-943615, A-943616, and A-943617 and subpoena duces tecum B-638117 are denied. The subpoenas seek information relevant to the matter under investigation and describe with sufficient particularity the evidence sought, as required by Section 11(1) of the Act and Section 102.31(b) of the Board's Rules and Regulations. Further, the Employer has failed to establish any other legal basis for revoking the subpoenas.² See generally *NLRB v. North Bay Plumbing, Inc.*, 102 F.3d 1005 (9th Cir. 1996); *NLRB v. Carolina Food Processors, Inc.*, 81 F.3d 507 (4th Cir. 1996).

Dated, Washington, D.C., October 4, 2012.

MARK GASTON PEARCE, CHAIRMAN

RICHARD F. GRIFFIN, JR., MEMBER

SHARON BLOCK, MEMBER

¹ The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

² In denying the Employer's petition to revoke subpoena duces tecum B-638117, we consider the subpoena as modified by the Region's limitations on Paragraph 14 of the subpoena, as stated in its opposition to the petition to revoke the subpoena duces tecum.

To the extent that the Employer has provided some of the material requested in subpoena duces tecum B-638117, it is not required to produce that information again, provided that the Employer accurately describes which documents under subpoena it has already provided, states whether those previously-supplied documents constitute all of the requested documents, and provides all of the information that was subpoenaed.